GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2743
ANSWERED ON:02.08.2016
More Power to NHRC
Kamal Nath Shri

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the National Human Rights Commission (NHRC) has urged the Union Government to provide more powers to enforce its orders on remedial measures in cases relating to human rights violations in the country;

(b) if so, the details thereof and the reaction of the Government thereto;

(c) whether the NHRC had made several recommendations in cases relating to the said violations in the country;

(d) if so, the details thereof;

(e) the details of recommendations of NHRC which have not been implemented by the authorities concerned; and

(f) the steps taken by the Government to implement all the recommendations made by the NHRC in the country?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS
(SHRI KIREN RIJIJU)

(a) to (b): No such proposal has been received from the National Human Rights Commission (NHRC).
-2-
LS USQ No. 2743 for 02.08.2016

(c) to (e) : The NHRC, as per provisions of the Protection of Human Rights Act, 1993, gets allegations of human rights violations enquired into. In cases, where the allegations are prima facie substantiated, and the concerned authorities have not taken appropriate action in the matter, the Commission makes recommendations as deemed appropriate in the light of the facts and the circumstances of each case. The recommendations broadly include appropriate action to protect human rights, grant of monetary relief to the victims of human rights, or the next of the kin of the deceased victim, and/or departmental/disciplinary action or prosecution against the guilty public servant. Details of instances where the Commission has made recommendations in cases relating to human rights violations along with the pendency status for the last 3 years and the current year up to 30.6.2016 is enclosed as Annexure I. Details of the cases where NHRC recommended disciplinary action and prosecution during 01.04.2013 to 31.03.2016 is at Annexure II.

(f) : Govt. of India is committed to protection & promotion of human rights & recommendations made by NHRC are taken very seriously. Section 18 (b) of the PHR Act, 1993 provides a mechanism for the Commission to approach the Supreme Court or High Court concerned in the event of non-implementation of its recommendation.